



Christine Jines  
Director -  
Federal Regulatory

SBC Telecommunications, Inc.  
1401 I Street, N.W.  
Suite 1100  
Washington D.C. 20005  
Phone 202 326-8879  
Fax 202 789-5319

January 11, 1999

EX PARTE OR LATE FILED

**EXPARTE**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission

Re: In the Matter of CC Docket 96-128 Implementation of the Pay Telephone  
Reclassification and Compensation Provisions of the Telecommunications Act of  
1996; SBC Request to Extend Limited Waiver of Coding Digit Requirements;  
The Southern New England Telephone Company Petition For Expedited Waiver

Dear Ms. Salas:

On January 8, 1999, Southern New England Telephone Company, Southwestern Bell Telephone Company, Pacific Bell and Nevada Bell (collectively SBC) attempted to file the attached letters with Ms. Anna Gomez, Chief, Network Services Division of the Common Carrier Bureau. Because the 2000 M Street location closed early at 5:00 p.m. on Friday, and the courier was unable to deliver the letters, SBC is filing these letters with Ms. Gomez today. The attached Certificate of Service gives notice that SBC has served the petitions on all parties of record in the docket.

In accordance with 47 C.F.R. 1.1206(a)(1) of the Commission's rules, the original of this letter and one copy are being filed with your office for inclusion in the public record. Acknowledgment and date of receipt are requested. A duplicate of this letter is included for this purpose.

Please direct any inquiries concerning the foregoing to the undersigned.

Sincerely,

*Chris Jines*  
Attachment

CC: Anna Gomez  
Marty Schwimmer

No. of Copies rec'd  
List / 10 + 2



**Jeffrey B. Thomas**  
Senior Counsel

One Bell Plaza  
Room 3043  
Dallas, Texas 75202

Phone 214-464-4490  
Fax 214-464-5493

January 8, 1999

Anna M. Gomez  
Chief  
Network Services division  
Common Carrier Bureau  
Federal Communications Commission  
Washington, D.C. 20554

RECEIVED

JAN 11 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Ms. Gomez:

**Re: Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128; NSD-L-98-147**

Southwestern Bell Telephone Company ("SWBT"), Pacific Bell, and Nevada Bell (collectively, "SBC") are filing this letter to respond to questions raised in the Order of the Network Services Division of the Common Carrier Bureau, released December 31, 1998, and also raised in your December 29, 1998 letter. SBC has installed Flexible ANI Information Digits ("Flex ANI") capability in all its switches so that the switches can pass payphone-specific coding digits. Technical problems were discovered during the installation of Flex ANI. These problems affect a small percentage of payphone calls within SBC's service areas.

SBC has worked diligently with its switch vendors to resolve the remaining technical problems. The following discussion provides detailed information that responds to the questions raised regarding SBC's implementation planning and vendor negotiations.

**I. SBC's RESPONSES TO QUESTIONS TO ALL PETITIONERS**

**1. Vendor performance generally.**

- A. What performance deadline commitments did the petitioners and their vendors initially contractually agree upon to meet the October 7, 1997 deadline? When were these agreements negotiated and finalized?

There were no performance deadline commitments or agreements with the vendors to meet the October 7, 1997 deadline for two reasons: 1) SBC had originally planned to deploy Originating Line Number Screening ("OLNS"), an alternative to Flex ANI, as the

most economical means of meeting its obligations to provide a means for IXC's to identify payphone calls for PSP compensation. Additionally, OLNS was already being deployed in SBC at that time. The decision to use Flex ANI for payphone compensation in the industry was not reached until shortly prior to the October 7, 1997 deadline.

2) The basic Flex ANI software features were already developed and available for all switch types. At this time, the 800 to POTS problem had just been identified, and it was recognized that industry standards would need to be established prior to feature development. The Tandem Screening problem had not been identified at this time.

These two reasons were well documented at the time. For instance, concerning the first reason, in the LEC Payphone Coalition 9/30/97 letter to the FCC, the Coalition pointed out: "Until mid-August, AT&T was arguing...that it could not accept Flex ANI digits at all, and MCI's position was that it would accept OLNS access for free. It was therefore not until just over a month ago that LECs could even begin considering the use of Flex ANI to meet AT&T's and MCI's demands. Two months is simply too little time to implement Flex ANI ubiquitously through over 20,000 switches, even if Flex ANI were an appropriate solution nationwide (which it is not)."<sup>1</sup> SBC was one of the LECs that agreed at the time of this letter to go forward with implementation of Flex ANI, rather than solely rely on OLNS. But it was not until the FCC's Order released March 9, 1998 that the FCC resolved the issue, clarifying that Flex ANI or hard coding of ANI, not OLNS, were the acceptable means of providing payphone-specific digits.<sup>2</sup>

Concerning the second reason, in SBC's October 1, 1997 letter to the FCC in this proceeding, we set forth our schedule for near 100% implementation of Flex ANI for total lines.<sup>3</sup> Prior work with NORTEL on FLEX ANI helped SBC in its drive toward full implementation. An initial Flex ANI agreement with NORTEL for DMS 100s was entered into in December of 1990 by SWBT and December of 1992 by Pacific Bell. The feature purchased in these contracts was NTX735AA – Flex Auto Number Identification.

In the October 1, 1997 letter, SBC also identified five problems that had recently been discovered with certain call types or switches. We identified the 800 to POTS problem, but not the 800 tandem screening problem of which we were then unaware.<sup>4</sup> In SBC's October 30, 1997 Comments in CC Docket 96-128, we further described the 800 to POTS problem, including the need for an industry standard solution.<sup>5</sup>

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<sup>1</sup> Letter from Michael K. Kellogg, representing the LEC ANI Coalition, to John B. Muleta, FCC, September 30, 1997, CC Docket No. 96-128.

<sup>2</sup> *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Memorandum Opinion and Order*, 13 FCC Rcd 4998 at para. 23 (1998) ("Bureau Coding Digit Waiver Order").

<sup>3</sup> Letter from Jeffrey B. Thomas, SBC, to John B. Muleta, FCC, October 1, 1997, CC Docket No. 96-128.

<sup>4</sup> *Id.*

<sup>5</sup> Comments of Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell, CC Docket No 96-128, October 30, 1997, at 4-5.

- B. What changes in the performance deadline commitments did the petitioners attempt to reach after each of the three waiver extensions granted to date? When were these changes negotiated and finalized?

This question appears to assume that LECs and vendors contracted from the beginning based on guarantees from vendors that they would ensure that FLEX ANI was passed on all call types, regardless of what unknown problems might arise. That is not the way the process works. Given that unknown problems cause unknown costs, the parties could not contract on that basis. Instead, LECs acquired the existing FLEX ANI software from vendors and then began testing it under various circumstances to see if the coding digits were properly passed. At varying times, LECs discovered that digits were not passed on certain switches on certain call types. As each problem arose, the LEC first sought existing software solutions. If they did not exist, the LEC sought either: (1) an industry standards solution to be followed by a vendor software solution meeting the new standard, and then LEC testing and installation of the software solution; or (2) if it was practical and vendors would agree to it, a direct vendor software solution to be followed by LEC testing and installation. As this trial and error process of finding and then trying to solve problems continued, LECs had to request waivers from the FCC to allow more time to fix the problems. This normally was not because a vendor had failed to meet a commitment. It normally was because a new problem arose for which no commitments had previously been made because no one knew they were needed. It also occurred because in some cases before any vendor commitment could be reached an industry consensus agreement was needed. No one wants each vendor to go off on its own with its own unique methods of fixing problems, methods which may not be compatible with other vendors' methods. The network is composed of numerous vendors' equipment and types and generics of equipment; they must work together seamlessly if end user customers are going to continue to receive the high quality universal service that SBC believes they must continue to receive. Finally, once there is sufficient agreement, it takes vendors time to develop solutions and for LECs to test and install them, while again ensuring high quality communications for all customers. This too required LEC waiver requests for more time.

Let it be made clear, that when SBC said that the timing of solutions to FLEX ANI problems were often beyond its control, SBC did not mean to cast blame on the industry or on software vendors. SBC was simply trying to make it clear that no matter how much the FCC, SBC, and others want to reach the point of ubiquitous passage of payphone-specific digits, there are a number of interdependent steps, involving numerous carriers and software vendors, that must be taken. These steps take time, but great and rapid progress has been made.

We discuss below some of the progress SBC made after each of the FCC's orders granting waivers and waiver extensions.

**1) The FCC's grant in its 10/7/97 Order of an extension until 3/9/98 for LECs to implement Flex ANI.<sup>6</sup>**

On December 15, 1997, SWBT executed a contract with Lucent Technologies Inc. for the "Flexible ANI Provisioning Enhancement 99-5E-1337" feature. This feature was required in addition to the already existing base Flex ANI 5ESS software 99-5E-0642. The feature was available for immediate use in SWBT's five-state territory of Arkansas, Kansas, Missouri, Oklahoma, and Texas.

On December 22, 1997, Pacific Bell purchased the "Flexible ANI Provisioning Enhancement 99-5E-1337" from Lucent for the 5ESS as this feature was required in addition to the base FLEX ANI feature 99-5E-0642 that was already available in Pacific Bell's 5ESS switches in California and Nevada.

In SBC's January 23, 1998 letter to the FCC, we were able to withdraw two of the earlier-described problems (FGD calls from 5ESS when the industry goes to 4 digit CICs; calls from DMS 10 switches until replaced). We identified four remaining problems (800 to POTS; NORTEL 800 to CICs; NORTEL 0- transfer calls; and FGB 950 calls). We explained that fixing 800 to POTS would require a change in the standard prior to vendor work.<sup>7</sup>

In SBC's March 5, 1998 letter to the FCC, we very briefly identified the 800 tandem screening problem for the first time. We explained that we had recently discovered the problem during testing. We pointed out that other LECs described this problem in letters to the FCC at about the same time.<sup>8</sup>

In this March 5, 1998 letter, SBC also shortened its waiver requests for two problems: 1) NORTEL 800 to CIC and 2) NORTEL 0- transfer (based on a pending vendor solution). We also added the AXE10 problem with indirect trunking, which was solved shortly thereafter. We updated information on the other problems, including 800 to POTS.<sup>9</sup>

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<sup>6</sup> *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, 12 FCC Rcd 16387 (1997).

<sup>7</sup> Letter from Jeffrey B. Thomas, SBC, to Rose Crellin, FCC, January 23, 1998, CC Docket No. 96-128.

<sup>8</sup> Letter from Jeffrey B. Thomas, SBC, to Rose Crellin, FCC, March 5, 1998, CC Docket No. 96-128 at 1-2.

<sup>9</sup> *Id.*

**2) The FCC's grant in its 3/9/98 Order of an extension until 6/9/98 for SBC (and some others) to fix problems on certain switches and call types, and an extension for SNET and GTE until 9/30/98 for 75% implementation and 12/31/98 for 100%.<sup>10</sup>**

### **NORTEL**

On May 6, 1998, a verbal agreement was reached between NORTEL and SBC for the purchase of the following features:

To resolve the "0-" transfer problem

ENSV006 - 2 Digit ANI for TOPS

OSEA0012 - TOPS FLEX ANI

To fix the DMS-100 "800 to CIC" problem

NTS00025

A written Agreement, # 980189, with NORTEL on the functionality described above, subject to February 1998 negotiations, was finalized on May 22, 1998 and covered all seven states in the then SBC territory.

In SBC's May 22, 1998 Petition at the FCC, we identified three remaining problems. We requested a short extension for NORTEL 0- transfer based on the pending vendor solution. We explained that for 800 to POTS there would need to be industry standards work first, including work at the Industry Numbering Committee ("INC") forum. For 800 tandem screening, we said that industry standards work needed to be further considered.<sup>11</sup>

### **Lucent**

SBC negotiated with Lucent throughout this period concerning the two remaining problems.

5/13/98 - Lucent indicated that Tandem Screening in 4ESS would be available in 3/99 on 4E24R1 generic. No estimate on 800 to POTS for 4ESS tandem was provided pending development of standards.

### **Ericsson**

5/1/98 - SBC requested a standard analysis for the 800 to POTS and 800 tandem screening problems.

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<sup>10</sup> *Bureau Coding Digit Waiver Order, supra.*

<sup>11</sup> Petition to Extend Limited Waiver to Implement FLEX ANI by Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell, May 22, 1998, CC Docket No. 96-128, at 3, 9-10, 13

5/8/98 – Ericsson responded that it would not begin development until the requirements have been standardized, at which time Ericsson could make the features available eight months after SBC made a purchase commitment.

**3) The FCC's grant in its 6/10/98 Order to SBC of a brief extension for 0- transfer and until 12/31/98 for 800 to POTS and 800 tandem screening.<sup>12</sup>**

SBC soon resolved the 0- transfer problem based on NORTEL's solution (ENSV0006 & OSEA0012). SBC moved forward on the two remaining problems. Notably, Pacific Bell introduced the 800 to POTS issue at the INC, which reached a consensus in September of 1998, paving the way for the development of standardized vendor solutions.

**NORTEL**

In October of 1998, SBC negotiated with NORTEL for the Flex ANI functionality specified below:

NTS00026 – 800 Calls Routed to POTS  
UDD00002 – Tandem Screening

In November of 1998, SBC discovered that additional functionality was required:

NTS00027 – Screening on 800 Calls to POTS

In November of 1998, SBC negotiated to obtain the screening functionality. On 11/19/98 NORTEL indicated to SBC that the modification could not be made to the 800 to POTS software by 12/31/98 to accommodate the 800 to POTS screening. Then on 12/10/98 NORTEL provided a schedule where they mention that the screening fix could be available as early as December 21st, depending on the generic platform.

On January 5, 1999, NORTEL reported that this additional screening functionality is ready for testing. SBC will make arrangements for testing it.

**Lucent**

SBC negotiated with Lucent throughout this period concerning the two remaining problems.

10/30/98 - SBC received a time-and-cost quote from Lucent for the Tandem Screening in the 4ESS. Lucent indicated availability of this new feature by 3/30/99. The feature name is Tandem Flexible ANI/II Digit Restriction with Feature ID #539.

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<sup>12</sup> *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, 13 FCC Rcd 11210 (1998).

11/24/98 - Lucent sent its first feature documentation for Tandem Screening for the 4ESS.

12/10/98 - Lucent sent a first time and cost estimate for 800 to POTS feature in 4ESS. Lucent indicated delivery of 8/99 or 4/00 depending on the switch generic.

### Ericsson

Since it appeared that the standards work that Ericsson was waiting for would not take place, on December 15 1998, SBC provided Ericsson descriptions of the designs for the 800 to POTS and 800 tandem screening that would meet SBC's needs. SBC asked Ericsson if it would consider utilizing these designs for the development of the two features. Ericsson has not yet directly responded to that request. On January 8, 1999, however, in response to SBC's request for a verified statement, Ericsson responded: "Ericsson is presently investigating alternative approaches to satisfying the requirements. These alternative approaches may or may not decrease the time required to develop the features. This investigation has not been completed, and no development has been initiated. At this time, Ericsson can not commit to a firm date for delivery of these features."

- C. What changes in the performance deadline commitments were actually agreed upon after each of the extensions, and why were they not adequate to meet the petitioners' legal obligation?

See response to B.

- D. What penalties against vendors were agreed upon for non-performance?

Standard penalties have been included in contracts with vendors. Again, the need for more time to meet ubiquity has not been because of failures to meet commitments.

2. **Verified statements from vendors to substantiate or explain the failure to meet the December 31, 1998, deadline.**

See Exhibit A hereto.

## **II. SBC's RESPONSES TO SPECIFIC QUESTIONS ON ITS PETITION**

1. The SBC petition states at page 2 that for SWBT and Pacific Bell, SBC is requesting an "indefinite" waiver for Lucent's 4ESS switches for 800-to-POTS translation. Is Lucent under no date-certain obligation to provide these switches? Why would an open-ended waiver be appropriate here?

On May 15, 1998, SBC requested a quote from Lucent for the 800 to POTS feature. Lucent's initial response was that they "had placed development on hold until standards were issued." On December 10, 1998, Lucent provided a quote and availability date of August 1999 or March of 2000 for this feature depending on which generic is purchased.<sup>13</sup> Therefore, an open-ended waiver is no longer required. Because of the small number of 4ESS switches, once the feature is available, SBC expects to test, soak, install the feature in its switches, and perform other necessary tasks more quickly than normally can be anticipated. Therefore, SBC requests a waiver extension until fourth quarter of 1999 for Lucent's 4ESS switches for 800 to POTS.

2. The SBC petition states at page 5 that, because the 800-to-POTS problem affects the same switch types as the 800 tandem screening problem, it is more efficient to fix both problems at once rather than separately. What is the extra cost if they are fixed separately?

NORTEL has agreed to reduce application charges for the software patches if patches for 800 to POTS and 800 tandem screening are applied at once in the tandem switches. This efficiency of requiring NORTEL's experts to only enter the 66 switches once, instead of twice, results in a savings of approximately \$80,000.

Similarly, Lucent has reported that it will reduce its application charges by approximately \$28,000, if both patches are applied at once in the 18 Lucent tandem switches.

There is no saving from Ericsson to fix both problems at once rather than separately. Only one Ericsson switch will require 800 Calls to Access Tandems and that cost will be the same either way.

A key efficiency arises from entering the switches only once instead of twice, which minimizes the risk of the number of accidental mishaps which could occur when changing codes in the switches. Thus, network integrity is protected. Dispatching switch personnel once instead of twice also reduces costs.

3. The SBC petition states at page 8 that the number of payphone calls affected by the remaining two problems appears to be "de minimis." What is the meaning of "de minimis?" Does it imply that non-compliance is acceptable?

"De minimis" means "very small or trifling." In the legal context, it is normally used as a short form of "de Minimis non curat lex" ("the law does not care for, or take notice of, very small or trifling matters").<sup>14</sup> As used by SBC in its Petition, it does not mean or imply that non-compliance is acceptable. Our Petition explains how we have been trying to attain the goal of having payphone-specific digits passed on every call over payphone lines. SBC's use of "de minimis" does mean that we believe the FCC could

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<sup>13</sup> In either of these cases, we understand Lucent to mean end of the month.

<sup>14</sup> Black's Law Dictionary, Revised Fourth Edition, 1968, at 482.

conclude that the costs of implementing FLEX ANI on the calls affected by SBC's two remaining problems far outweigh the benefits to be obtained by fixing them. SBC believes that the FCC could provide a waiver that allows compliance without fixing them. This belief is based on the apparently very small number of calls affected by the two problems, which we have estimated at less than 1/10 of 1% of payphone calls on SBC's networks for the 800 tandem screening problem and less than 1% for the 800 to POTS problem.<sup>15</sup> This belief also is based on the expected automatic disappearance of the problem concerning 800 tandem screening of IXCs' capabilities to receive FLEX ANI, as IXCs step up to implement Flex ANI in their networks.<sup>16</sup>

SBC has not requested the FCC to relieve us of the burden of fixing the two remaining problems because of the difficulty of establishing with any exactitude the number of calls that may be affected by the problems. Initial analysis of a recent traffic sample taken during the 800 busy hour, however, indicates that the 800 to POTS problem would affect significantly less than 1% of payphone calls.

Although FLEX ANI is the only technical means of meeting the FCC's requirement for passage of payphone-specific digits, it is not the only technical means available for payment of compensation. SBC is not aware of any harm that has resulted from our inability to pass or screen FLEX ANI on these two call types, and the record in this proceeding has not shown any such harm. The pending comment cycle on SBC's and others' waiver petitions, will provide a vehicle for parties to reveal actual harm, if any, that would result from SBC not fixing the two problems.

Based on that record, should the FCC decide to allow SBC, and any similarly situated LEC, a permanent or indefinite waiver for all switches for these two problems, we would urge the FCC to keep open the possibility that parties, including SBC, may come to the FCC in the future with evidence that the apparently de minimis problems are no longer so. At such time, it might be shown that fixing the problems would help ensure that compensation is paid, and at such time LECs should be allowed to recover the costs of fixing the problems. In the mean time, SBC would of course lower (or shorten the period of) its tariffed rates for FLEX ANI to the extent warranted by a reduction of costs resulting from such waiver. If the FCC is potentially interested in this idea and wants to receive comments on it, the FCC may want to quickly alert the industry of this interest

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<sup>15</sup> See Petition for Expedited Temporary Extension of Limited Waiver to Implement FLEX ANI by Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell, December 9, 1998, at iii, 6, 9, 15.

<sup>16</sup> See *id.* at n. 19 on pg. 14.

so that parties can mitigate costs of fixing the two problems until the FCC decides the issue.<sup>17</sup>

4. The SBC petition states at page 11 that "NORTEL began developing a solution prior to generic standards being completed." On what date or at what time did NORTEL begin? Was this in conjunction with an agreement with SBC? Was there an expected completion time?

SBC informed NORTEL of the 800 to POTS issue at least as early as May of 1998, and NORTEL participated in the INC work on the issue. SBC had a conference call with NORTEL in September of 1998 to discuss the INC's resolution of the issue. NORTEL was then able to begin development on that feature. SBC has issued a Request for Feature to NORTEL, but there is not yet an agreement.

The 800 to POTS fix is composed of two features, namely NTS00026 and NTS00027. NTS00026 is basic 800 to POTS w/o screening and NTS00027 adds the screening capability. NTS00026 is already available. However, NTS00027 would be available as follows, based on a message from NORTEL on 12/10/98:

Generic NA009	21st Dec 1998
> 08	4th Jan 1999
> 07	11th Jan 1999
> 06	18th Jan 1999
> 05	25th Jan 1999
> 04	02nd Feb 1999

5. The SBC petition further states at page 11 that "SBC anticipates that generic requirement developers may be able to complete the generic standards by March 15, 1999." What is this date based on?

This date was Bellcore's estimated completion date.

6. Also on page 11, the SBC petition states that "Ericsson has not begun to work on the needed changes." How is a vendor's failure even to begin work justified just weeks before the deadline of December 31, 1998? Did SBC know of this? Did it take action to

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<sup>17</sup> The FCC may find precedent for this type of waiver in the action it took concerning FGB services. The FCC stated: "With regard to problem (2), cited by SBC, FGB services, we note that there is currently no standard to provide payphone-specific coding digits and carriers wishing to receive FLEX ANI must take FGD services. Thus, pending the development of standards, we grant all LECs a waiver and require that carriers taking FGB service pay PSPs per-call compensation using ANI lists or other means they may identify." Bureau Coding Digit Waiver Order at para. 82.

spur compliance? Was its agreement with Ericsson not tied to the legal obligation to meet the December 31 deadline?

Ericsson originally indicated that it would not begin feature development until generic standards were issued, and that once that occurred it could develop the feature within eight months of SBC entering a purchase agreement. It also required a contractual commitment before feature development. SBC knew of this and has made the legal obligations that SBC faces clear to Ericsson. At this time, agreement has not yet been reached. In December of 1998, SBC provided Ericsson descriptions of designs for the features for 800 to POTS and 800 tandem screening that are expected to meet our needs. SBC asked Ericsson if it will consider using our designs for the feature development. Ericsson has not yet directly responded to that request. On January 8, 1999, however, in response to SBC's request for a verified statement, Ericsson responded: "Ericsson is presently investigating alternative approaches to satisfying the requirements. These alternative approaches may or may not decrease the time required to develop the features. This investigation has not been completed, and no development has been initiated. At this time, Ericsson can not commit to a firm date for delivery of these features."

Please let us know if you would like to discuss this matter further.

Sincerely,



Jeffrey B. Thomas  
Senior Counsel

**EXHIBIT A**

**Verified Statement From Vendor**

**Regarding CC Docket 96-128**

**Features Required to Support Flexible ANI**

- A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?

**Response:**

On May 1, 1998 SBC requested budgetary pricing and availability from Lucent Technologies to allow 800 Call Access Tandem Screening of Flex ANI for delivery to only those IC's capable of receiving Flex ANI and 800 to POTS for both 5ESS and 4ESS switches.

On May 4, 1998 Lucent responded with a planning prospectus giving budgetary pricing for Payphone Compensation features on 5ESS and estimated availability of 3/99.

On May 13, 1998 Lucent responded with budgetary pricing for Tandem Screening on the 4ESS and availability was estimated for 2/99 on 4E24R1 equipped switches. No estimate would be available by Lucent for the availability of the 800 to POTS until after the Bellcore standards were published. Lucent notified SBC that these features were not feasible on the 1AESS switch platform and could not be developed.

On September 17, 1998 SBC requested firm pricing for Tandem Screening and 800 to POTS for both 4ESS and 5ESS, now that the NTC (Industry Numbering committee) had assigned a new ANI pair of 25 for 800 to POTS calls originating from payphones.

On October 8, 1998, Lucent provided firm pricing (SWBT, PB, NB) and a delivery commitment of 3-30-99 for the 5ESS Payphone Compensation feature set.

On October 28, 1998, Lucent provided firm pricing and committed to deliver Tandem Flex ANI/II feature #539 on 4E24R1 no later than March 30, 1999.

On October 29, 1998, SBC and Lucent held a technical conference to discuss technical attributes of the new 5ESS features being developed.

On November 24, 1998 Lucent published the documentation for Tandem Screening feature #539 on 4ESS.

On December 1, 1998 Bellcore finalized the 4ESS Flex ANI/II Pair 25 standard required to support 800 to POTS.

On December 10, 1998, Lucent prepared a budgetary price and availability of 4ESS Flex ANI/II 800 to POTS based on recently finalized Bellcore standards. Availability on 4E24R3 is 8/99 if SBC commitment is received before January 30, 1999.

B. Why were the work plans not adequate to meet the deadlines?

**Response:**

Lucent stated on an October 29, 1998 conference call that current development cycles, other development requests already in progress, and other mandated development requirements were some of the reasons for not being able to provide these features earlier than quoted previously by Lucent (March, 1999 and August 1999 respectively). These factors have not changed to allow provisioning of these features earlier than the March 1999 and August 1999 dates.

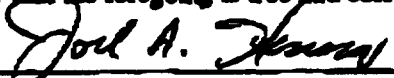
C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

**Response:**

Lucent plans are to have the 5ESS Tandem Screening, 5ESS 800 to POTS, and the 4ESS Tandem Screening features available by March 30, 1999. Delivery for the 4ESS 800 to POTS is estimated for August 1999 or April 2000 depending on the generic release SBC orders it with.

**VERIFICATION**

I have read the foregoing statement, and to the best of my knowledge, information, and belief there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on January \_\_, 1999.

  
\_\_\_\_\_  
Joel A. Herrera

Account Manager Switching  
Lucent Technologies  
100 NE Loop 410, 13th Floor  
San Antonio, TX 78216  
(210) 530-2527

**Verified Statement From Vendor**

**Regarding CC Docket 96-128**

**Features Required to Support Flexible ANI**

A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?

**Response:**

On May 1, 1998 Southwestern Bell (SWB) requested a standard analysis from Ericsson to allow 800 Call Access Tandem Screening for Flexible ANI and Flexible ANI on 800/888 Calls Routing to POTS Telephone Numbers

Ericsson responded on May 8, 1998 that once standards were in existence, "800 Call Access Tandem Screening for Flexible ANI" and "Flexible ANI on 800/888 Calls Routing to POTS Telephone Numbers", could be made available in the AXE eight (8) months following a purchase commitment on the part of SWB.

B. Why were the work plans not adequate to meet the deadlines?

**Response:**

They are based on Ericsson's understanding at that time that the requirements had not yet been standardized by the industry.

C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

**Response:**

Ericsson is presently investigating alternative approaches to satisfying the requirements. These alternative approaches may or may not decrease the time required to develop the features. This investigation has not been completed, and no development has been initiated. At this time, Ericsson can not commit to a firm date for delivery of these features.

**VERIFICATION**

Based on my knowledge, information, and belief, I verify under penalty of perjury that the foregoing is true and correct.

Executed on January 8, 1999.



Mr. Charlie M. Stroud  
Technical Solutions Director, Network Systems  
Ericsson Inc.  
1010 East Arapaho Road  
Richardson, Texas 75081  
(972) 583-5579

Verified Statement From Vendor

Regarding CC Docket 96-128

Features Required to Support Flexible ANI

A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?

Response:

On May 1, 1998 Southwestern Bell (SWB) requested a standard analysis from Ericsson to allow 800 Call Access Tandem Screening for Flexible ANI and Flexible ANI on 800/888 Calls Routing to POTS Telephone Numbers

Ericsson responded on May 8, 1998 that once standards were in existence, "800 Call Access Tandem Screening for Flexible ANI" and "Flexible ANI on 800/888 Calls Routing to POTS Telephone Numbers", could be made available in the AXE eight (8) months following a purchase commitment on the part of SWB.

B. Why were the work plans not adequate to meet the deadlines?

Response:

They are based on Ericsson's understanding at that time that the requirements had not yet been standardized by the industry.

C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

Response:

Ericsson is presently investigating alternative approaches to satisfying the requirements. These alternative approaches may or may not decrease the time required to develop the features. This investigation has not been completed, and no development has been initiated. At this time, Ericsson can not commit to a firm date for delivery of these features.

VERIFICATION

Based on my knowledge, information, and belief, I verify under penalty of perjury that the foregoing is true and correct.

Executed on January 8, 1999.



Mr. Charlie M. Stroud  
Technical Solutions Director, Network Systems  
Ericsson Inc.  
1010 East Arapaho Road  
Richardson, Texas 75081  
(972) 583-5579

**Verified Statement From Vendor**

**Regarding CC Docket 96-128**

**Features Required to Support Flexible ANI**

- A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?

**Response:**

On May 1, 1998 SBC requested budgetary pricing and availability from Lucent Technologies to allow 800 Call Access Tandem Screening of Flex ANI for delivery to only those IC's capable of receiving Flex ANI and 800 to POTS for both 5ESS and 4ESS switches.

On May 4, 1998 Lucent responded with a planning prospectus giving budgetary pricing for Payphone Compensation features on 5ESS and estimated availability of 3/99.

On May 13, 1998 Lucent responded with budgetary pricing for Tandem Screening on the 4ESS and availability was estimated for 2/99 on 4E24R1 equipped switches. No estimate would be available by Lucent for the availability of the 800 to POTS until after the Bellcore standards were published. Lucent notified SBC that these features were not feasible on the 1AESS switch platform and could not be developed.

On September 17, 1998 SBC requested firm pricing for Tandem Screening and 800 to POTS for both 4ESS and 5ESS, now that the NIC (Industry Numbering committee) had assigned a new ANI pair of 25 for 800 to POTS calls originating from payphones.

On October 8, 1998, Lucent provided firm pricing (SWBT, PB, NB) and a delivery commitment of 3-30-99 for the 5ESS Payphone Compensation feature set.

On October 28, 1998, Lucent provided firm pricing and committed to deliver Tandem Flex ANI/II feature #539 on 4E24R1 no later than March 30, 1999.

On October 29, 1998, SBC and Lucent held a technical conference to discuss technical attributes of the new 5ESS features being developed.

On November 24, 1998 Lucent published the documentation for Tandem Screening feature #539 on 4ESS.

On December 1, 1998 Bellcore finalized the 4ESS Flex ANI/II Pair 25 standard required to support 800 to POTS.

On December 10, 1998, Lucent prepared a budgetary price and availability of 4ESS Flex ANI/II 800 to POTS based on recently finalized Bellcore standards. Availability on 4E24R3 is 8/99 if SBC commitment is received before January 30, 1999.

B. Why were the work plans not adequate to meet the deadlines?

**Response:**

Lucent stated on an October 29, 1998 conference call that current development cycles, other development requests already in progress, and other mandated development requirements were some of the reasons for not being able to provide these features earlier than quoted previously by Lucent (March, 1999 and August 1999 respectively). These factors have not changed to allow provisioning of these features earlier than the March 1999 and August 1999 dates.

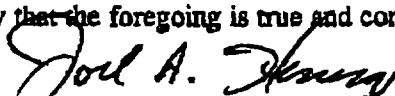
C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

**Response:**

Lucent plans are to have the SESS Tandem Screening, SESS 800 to POTS, and the 4ESS Tandem Screening features available by March 30, 1999. Delivery for the 4ESS 800 to POTS is estimated for August 1999 or April 2000 depending on the generic release SBC orders it with.

**VERIFICATION**


I have read the foregoing statement, and to the best of my knowledge, information, and belief there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on January \_\_, 1999.



Joel A. Herrera  
Account Manager Switching  
Lucent Technologies  
100 NE Loop 410, 13th Floor  
San Antonio, TX 78216  
(210) 530-2527

CERTIFICATE OF SERVICE

I hereby certify that on this 8th Day of January 1999 I caused copies of the foregoing DOCUMENT to be served upon the parties on the attached service list by first-class mail.

  
NAME

Federal Communications Commission  
CC Docket No. 96-128

Service List

Federal Communications Commission	Christopher Wright Laurence N. Bourne John Edward Ingle Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554
United States Department of Justice	Catherine G. O'Sullivan Nancy C. Garrison U.S. Department of Justice Antitrust Division, Appellate Section Patrick Henry Building 601 D Street, N.W., Room 10535 Washington, D.C. 20530  Robert B. Nicholson Robert J. Wiggers U.S. Department of Justice Antitrust Division, Appellate Section Patrick Henry Building 601 D Street, N.W., Room 10535 Washington, D.C. 20530  Donald J. Russell U.S. Department of Justice Antitrust Division, City Center Building 1401 H Street, N.W., Suite 8000 Washington, D.C. 20001
Airtouch Paging	Mark A. Stachiw Airtouch Paging 12221 Merit Drive, Suite 800 Dallas, TX 75251
Airtouch Paging	Carl W. Northrop Emmett A. Johnston Paul, Hastings, Janofsky & Walker 1299 Pennsylvania Avenue, N.W. 10 <sup>th</sup> Floor Washington, D.C. 20004-2400

American Public Communications Council	<p>Albert H. Kramer  Robert F. Aldrich  Christopher T. McGowan  Dickstein, Shapiro, Morin &amp; Oshinsky, LLP  2101 L Street, N.W.  Washington, DC 20037-1526</p>
AT&T	<p>Peter D. Keisler  Sidley &amp; Austin  1722 I Street, N.W., Suite 600  Washington, D.C. 20006</p>
AT&T	<p>Mark C. Rosenblum  Richard H. Rubin  AT&amp;T Corporation  295 North Maple Avenue  Room 3252I3  Basking Ridge, NJ 07920</p>
Cable & Wireless, Inc.	<p>Rachel J. Rothstein  Cable &amp; Wireless, Inc.  8219 Leesburg Pike  Vienna, VA 22182</p>
Citicorp Service Inc.	<p>Mark MacKenzie  Citicorp Service Inc.  8430 West Bryn Mawr Avenue  Chicago, IL 60631</p>
Competitive Telecommunications Association	<p>Genevieve Morelli  Competitive Telecommunications Assn.  1900 M Street, N.W., Suite 800  Washington, D.C. 20036</p>
Competitive Telecommunications Association	<p>Danny E. Adams  Steven A. Augustino  John J. Heitmann  Kelley Drye &amp; Warren, LLP  1200 19<sup>th</sup> Street, N.W., Suite 500  Washington, D.C. 20036</p>

Consumer-Business Coalition for Fair  
Payphone-800 Fees

Howard J. Symons  
Sara F. Seidman  
Yaron Dori  
Mintz, Levin, Cohn, Ferris, Glovsky  
and Popeo, PC  
701 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2608

Consumer-Business Coalition for Fair  
Payphone-800 Fees

Daniel R. Barney  
Robert Digges, Jr.  
ATA Litigation Center  
2200 Mill Road  
Alexandria, VA 22314

Excel Telecommunications, Inc.

Dana Frix  
Pamela S. Arluk  
Swidler & Berlin  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116

Excel Telecommunications, Inc.

James M. Smith  
Excel Telecommunications, Inc.  
1133 Connecticut Avenue, N.W., Suite 750  
Washington, D.C. 20036

Frontier Corporation

Michael J. Shortley III  
Frontier Corporation  
180 S. Clinton Avenue  
Rochester, NY 14646

International Telecard Association

Glenn B. Manishin  
Michael D. Specht  
Blumenfeld & Cohen  
Technology Law Group  
1615 M Street, N.W., Suite 700  
Washington, D.C. 20036

IXC Communication Services, Inc.

Gary L. Mann  
IXC Long Distance, Inc.  
1122 Capital of Texas Highway South  
Austin, TX 78746

LCI International Telecom Corporation

Brad E. Mutschelknaus  
Steven A. Augustino  
Kelley Drye & Warren LLP  
1200 19<sup>th</sup> Street, N.W., Suite 500  
Washington, D.C. 20036

VoCall Communications Corp. and  
Galaxy Long Distance

Thomas K. Crowe  
Law Offices of Thomas K. Crowe, PC  
2300 M Street, N.W., Suite 800  
Washington, DC 20037

WorldCom, Inc.

Richard S. Whitt  
WorldCom, Inc.  
1120 Connecticut Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

WorldCom, Inc.

Douglas F. Brent  
WorldCom Inc.  
101 Bullitt Lane, Suite 101  
Louisville, KY 40222

DATED: 12-17-98

MCI Telecommunications Corporation	<p>Mary J. Sisak  Mary L. Brown  George S. Ford  MCI Telecommunications  1801 Pennsylvania Avenue, N.W.  Washington, DC 20006</p>
State of New York Department of Public Service	<p>Lawrence G. Malone  New York State Dept. of Public Service  Three Empire State Plaza  Albany, NY 12223-1350</p>
Paging Network, Inc.	<p>Judith St. Ledger-Roty  Wendy I. Kirchick  Kelley Drye &amp; Warren LLP  1200 19<sup>th</sup> Street, N.W., Suite 500  Washington, D.C. 20036</p>
Personal Communications Industry Association	<p>Robert L. Hoggarth  Personal Communications Industry Assn.  500 Montgomery Street, Suite 700  Alexandria, VA 22314</p>
Personal Communications Industry Association	<p>Scott Blake Harris  Kent D. Bressie  Harris, Wiltshire &amp; Grannis, LLP  1200 18<sup>th</sup> Street, N.W., Suite 1200  Washington, D.C. 20036</p>
PocketScience	<p>Neil M. Peretz  PocketScience Inc.  2075 de La Cruz Boulevard, Suite 200  Santa Clara, CA 95050</p>
SkyTel Communications, Inc.	<p>Thomas Gutierrez  J. Justin McClure  Lukas, Nace, Gutierrez &amp; Sachs  1111 19<sup>th</sup> Street, N.W., Suite 1200  Washington, DC 20036</p>
Sprint Corporation	<p>Leon M. Kestenbaum  Jay C. Keithley  H. Richard Juhnke  Sprint Corporation  1850 M Street, N.W., 11<sup>th</sup> Floor  Washington, D.C. 20036</p>

---



Southern New England Telephone  
310 Orange Street  
New Haven, Connecticut 06510  
Tel 203. 771.8514  
Fax 203. 624.3549  
Email wendy.bluemling@SNET.com

**Wendy Bluemling**  
Director – Regulatory Affairs

January 8, 1999

Ms. Anna Gomez, Chief  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: CC Docket No. 96-128, NSD-L-98-147

Dear Ms. Gomez:

RECEIVED  
JAN 27 1999  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

The Southern New England Telephone Company (SNET) is filing this letter to respond to questions raised in the Federal Communications Commission's (Commission's) Order released December 31, 1998 and also in your December 29, 1998. Technical problems were discovered during the installation of Flex ANI. These problems affect a small percentage of payphones within its service area.

To date, over ninety-three percent of SNET's "smart" phones are capable of transmitting payphone coding digits. SNET has worked diligently with its switch vendors to resolve the remaining technical problems to make SNET fully compliant and has scheduled commitments from its vendors that allow SNET to become fully compliant by May 31, 1999. The following provides extensive information that responds to each of the questions raised regarding SNET's implementation planning and vendor negotiations.

#### SNET Responses to FCC Questions

##### 1. Vendor Performance

A. What performance deadline commitments did the petitioners and their vendors initially contractually agree upon to meet the October 7, 1998 deadline? When were these agreements negotiated and finalized?

### **SNET Response**

SNET had originally planned to deploy Originating Line Number Screening (OLNS), an alternative to Flexible ANI Information Digits (Flex ANI), as the most economical means of meeting its obligations to provide coding digits for Payphone Service Provider (PSP) compensation. There were no contractual agreements regarding Flex ANI between SNET and its vendors at that time.

B. What changes in the performance deadline commitments did the petitioners attempt to reach after each of the three waiver extensions granted to date? When were these changes negotiated and finalized?

### **SNET Response**

SNET discovered on January 30, 1998 that the architecture used to provide Toll Free Number (TFN) services did not allow for screening of Flex ANI for delivery to only those IC's capable of receiving Flex ANI. On February 13, 1998 SNET requested feature development from both Lucent Technologies and NORTEL to rectify this deficiency.

Lucent responded on March 5, 1998 that the required Access Tandem Screening feature could be made available in the 5E13 time frame (approximately 4Q2001). A follow-up response on March 19, 1998 indicated that the Access Tandem Screening feature and the 800 to POTS feature could be made available in March of 1999. In a conference call meeting on March 26, 1998 Lucent representatives stated that the proposed March 1999 date was firm and could not be changed. Lucent has maintained that position.

NORTEL responded on April 3, 1998 that the Access Tandem Screening feature could be made available during the fourth quarter of 1999. On April 22, 1998 SNET requested NORTEL to develop the 800 to POTS feature coincident with the Access Tandem Screening feature. On June 22, 1998 NORTEL indicated that development of the 800 to POTS feature was dependent upon industry standards being provided. On October 8, 1998 NORTEL provided a quotation for both the Access Tandem Screening and 800 to POTS features. Availability was dependent upon office software release level, but in the November to December 1998 time frame. Screening of ANI digits "25" to carriers was not included in the 800 to POTS feature design. NORTEL has verbally committed to providing the 800 to POTS screening feature in January of 1999.

C. What changes in the performance deadline commitments were actually agreed upon after each of the extensions, and why were they not adequate to meet the petitioners' legal obligations?

### **SNET Response**

No changes were made to deadline commitments between Lucent and SNET as no commitments for 1998 were made.

NORTEL committed to and supplied the Access Tandem feature as agreed and SNET has met the FCC commitment for NORTEL Access Tandem offices. NORTEL also committed to provide their interpretation of 800 to POTS requirements in lieu of industry standards. SNET did not enter into a contractual agreement with NORTEL to provide that feature because deficiencies were identified in the feature operation.

Although SNET could not meet the December 31, 1998 compliance dates for these capabilities, there was no recourse to vendor contractual penalties.

D. What penalties against vendors were agreed upon for non-performance?

### **SNET Response**

There were no contracts covering the features in question, therefore there were no penalties assigned.

### **2. Verified Statements From Vendors** **(see attached statements)**

- A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?
- B. Why were the work plans not adequate to meet the deadlines?
- C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

### **3. Specific Questions For SNET.**

#### **SNET Petition, Page 3.**

- A. When specifically in 1998 did SNET begin testing Flex ANI?

### **SNET Response**

During January of 1998 SNET began testing Flex ANI deployment. On January 30, 1998 Access Tandem screening problems were identified.

B. When did SNET discover the 800-POTS feature could not provide carrier screening? Why was it not discovered sooner?

**SNET Response**

November 13, 1998 discussions with the SBC subject matter expert identified that testing of the NORTEL 800 to POTS feature revealed the inability to screen ANI II digits of "25" for ICs not capable or willing to accept Flex ANI. The vendor confirmed this fact. Early high level feature descriptions did not provide sufficient detail to identify this deficiency. The feature has not been deployed in SNET so identification via testing was not possible.

C. Why couldn't Lucent provide the tandem enhancement of the 800-POTS features earlier than the end of the first quarter of 1999? When was it initially required to do so? Were its requirements changed to meet the newly extended deadlines? Why were the deadlines not met?

**SNET Response**

Initial correspondence with Lucent requested cost and availability estimates. In a conference call meeting on March 26, 1998 Lucent representatives stated that the proposed March 1999 date was firm and could not be changed. Lucent has maintained that position. They cited current development cycles, other development requests, and mandated development requirements among other reasons for not being able to provide this feature earlier than quoted.

**SNET Petition, Page 4.**

A. For end office use of SSP IN 800 functionality, why weren't negotiations with NORTEL for a lease arrangement similar to the one negotiated with Lucent successful? How were cost and compliance considerations balanced?

**SNET Response**


PSP lines served by NORTEL offices were 3.78% of the total PSP lines served by SNET. The average NORTEL per PSP-line lease cost was several times higher than the Lucent lease arrangement.

SNET evaluates the economics associated with mandated requirements. Where costs are believed to exceed reasonable levels, SNET would petition the FCC to seek relief or present alternative implementation scenarios.

B. Why did the work to complete Feature Group D (FGD) CIC conversion impair coding digit work? Could the work have been done simultaneously?

**SNET Response**

The FCC required that FGD CIC expansion must be completed during the same time frame as End Office SSP deployment for Flex ANI. Both mandated projects required the same work force to implement however because the nature of the work was totally different, this did not allow for implementing both services simultaneously.



Wendy S. Bluemling

Attachments:

Service List

Verified Statement From Vendor

Regarding CC Docket 96-128

Features Required to Support Flexible ANI

A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?

Response:

On February 13, 1998 SNET requested feature development from Lucent Technologies to allow Access Tandem screening of FlexANI for delivery to only those IC's capable of receiving FlexANI.

Lucent responded on March 5, 1998 that "Toll Free Enhancement for Flexible ANI", 99-CP-4847 could be made available in the SE15 time frame (approximately 4Q2001). A follow-up response on March 19, 1998 indicated that the Access Tandem Screening feature and the 800 to POTS feature for use with SSP800 IN tollfree calls could be made available on March 31, 1999

In a conference call meeting on March 26, 1998 Lucent representatives stated that the proposed March 31, 1999 date was firm and could not be changed.

B. Why were the work plans not adequate to meet the deadlines?

Response:

Lucent stated on a March 26, 1998 conference call that current development cycles, other development requests, and mandated development requirements were some of the reasons for not being able to provide this feature earlier than quoted (March 31, 1999). These factors have not changed to allow provisioning of these features at an earlier date.

C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

Response:

Lucent plans are to have this feature available for the current standard Software Release and for Software Updates back to SE11. Feature development is currently on schedule for final release on March 31, 1999.

VERIFICATION

I have read the foregoing statement, and to the best of my knowledge, information, and belief there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on January 8, 1999.



William J. Hesbach  
Account Manager Switching  
Lucent Technologies  
127 Washington Avenue, 3<sup>rd</sup> Floor  
North Haven, Connecticut 06473-0758  
(203) 985-5729

Verified Statement From Vendor

Regarding CC Docket 96-128

Features Required to Support Flexible ANI

A. What work plans did the vendors implement initially and after each extension of the waiver deadlines?

Response:

On February 13, 1998 SNET requested feature development from Northern Telecom Inc. ("Nortel") to allow Access Tandem screening of FlexANI for delivery to only those IC's capable of receiving FlexANI.

Nortel responded on April 3, 1998 that the "Flexible ANI Screening", SNT000008 feature could be made available during the fourth quarter of 1999.

On April 22, 1998 SNET requested Nortel to develop the 800 to POTS feature coincident with the Access Tandem Screening feature. On June 22, 1998 Nortel indicated that development of the 800 to POTS feature was dependent upon industry standards being provided. The industry standard which is based upon (#PL-NSNP-139 ANI II for Pay Phone Compensation) was issued on Oct. 5, 1998).

On October 8, 1998 Nortel provided a quotation for both the "TFS Pay Phone w/POTS Conversion", NTS000026 and "FLEX ANI Tandem Screening", UDD000002 features. Availability was dependent upon office software release level, but in the November to December 1998 time frame.

Screening of ANI digits "25" to carriers was not a requirement for NTS000026 and was not included in the 800 to POTS feature design. On December 9, 1998 Nortel received a request for capability from Nortel's verification customer for the screening capability. At that time Nortel verbally committed to providing the 800 to POTS screening feature in January of 1999, approximately 30 working days after the customer request for new functionality.

B. Why were the work plans not adequate to meet the deadlines?

Response:

Nortel's work plans and schedules were as described above.

Nortel was able to provide support for pay phone compensation requirements through the use of accelerated feature delivery, available via software bridging. Our support for pay phone compensation features had an implementation date of Dec. 31, 1998. Only the ANI 25 Screening feature was not available until Jan. 1999, because this additional capability was first requested on Dec. 7, 1998.

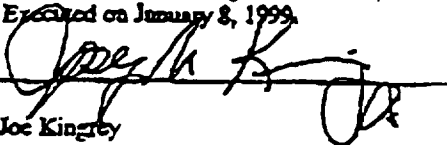
C. What work plans are the vendors currently implementing; at what stages are they now; and what are the completion dates for upcoming stages?

Response:

Nortel has features to support pay phone compensation available in Dec. 1998. We will have the "ANI 25 Screening", NTS000027, designed to support carriers not able to support ANI 25, available for the current Software Release and bridged to NAO09 and NAO10 by January 31, 1999.

VERIFICATION

Based on my knowledge, information, and belief, I verify under penalty of perjury that the foregoing is true and correct.  
Executed on January 8, 1999.


  
Joe Kingrey  
Number Portability and Number Services

Northern Telecom Inc.

4001 E Chapel hill Nelson hwy  
PO Box 13010  
RTP, N.C. 27709  
Joe.kingrey@nt.com

CERTIFICATE OF SERVICE

I hereby certify that on this 8th Day of January 1999 I caused copies of the foregoing DOCUMENT to be served upon the parties on the attached service list by first-class mail.

  
NAME

Federal Communications Commission

CC Docket No. 96-128

Service List

Federal Communications Commission

Christopher Wright  
Laurence N. Bourne  
John Edward Ingle  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

United States Department of Justice

Catherine G. O'Sullivan  
Nancy C. Garrison  
U.S. Department of Justice  
Antitrust Division, Appellate Section  
Patrick Henry Building  
601 D Street, N.W., Room 10535  
Washington, D.C. 20530

Robert B. Nicholson  
Robert J. Wiggers  
U.S. Department of Justice  
Antitrust Division, Appellate Section  
Patrick Henry Building  
601 D Street, N.W., Room 10535  
Washington, D.C. 20530

Donald J. Russell  
U.S. Department of Justice  
Antitrust Division, City Center Building  
1401 H Street, N.W., Suite 8000  
Washington, D.C. 20001

Airtouch Paging

Mark A. Stachiw  
Airtouch Paging  
12221 Merit Drive, Suite 800  
Dallas, TX 75251

Airtouch Paging

Carl W. Northrop  
Emmett A. Johnston  
Paul, Hastings, Janofsky & Walker  
1299 Pennsylvania Avenue, N.W.  
10<sup>th</sup> Floor  
Washington, D.C. 20004-2400

American Public Communications Council	<p>Albert H. Kramer  Robert F. Aldrich  Christopher T. McGowan  Dickstein, Shapiro, Morin &amp; Oshinsky, LLP  2101 L Street, N.W.  Washington, DC 20037-1526</p>
AT&T	<p>Peter D. Keisler  Sidley &amp; Austin  1722 I Street, N.W., Suite 600  Washington, D.C. 20006</p>
AT&T	<p>Mark C. Rosenblum  Richard H. Rubin  AT&amp;T Corporation  295 North Maple Avenue  Room 3252I3  Basking Ridge, NJ 07920</p>
Cable & Wireless, Inc.	<p>Rachel J. Rothstein  Cable &amp; Wireless, Inc.  8219 Leesburg Pike  Vienna, VA 22182</p>
Citicorp Service Inc.	<p>Mark MacKenzie  Citicorp Service Inc.  8430 West Bryn Mawr Avenue  Chicago, IL 60631</p>
Competitive Telecommunications Association	<p>Genevieve Morelli  Competitive Telecommunications Assn.  1900 M Street, N.W., Suite 800  Washington, D.C. 20036</p>
Competitive Telecommunications Association	<p>Danny E. Adams  Steven A. Augustino  John J. Heitmann  Kelley Drye &amp; Warren, LLP  1200 19<sup>th</sup> Street, N.W., Suite 500  Washington, D.C. 20036</p>

---

Consumer-Business Coalition for Fair Payphone-800 Fees	Howard J. Symons Sara F. Seidman Yaron Dori Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC 701 Pennsylvania Avenue, N.W. Washington, DC 20004-2608
Consumer-Business Coalition for Fair Payphone-800 Fees	Daniel R. Barney Robert Digges, Jr. ATA Litigation Center 2200 Mill Road Alexandria, VA 22314
Excel Telecommunications, Inc.	Dana Frix Pamela S. Arluk Swidler & Berlin 3000 K Street, N.W., Suite 300 Washington, D.C. 20007-5116
Excel Telecommunications, Inc.	James M. Smith Excel Telecommunications, Inc. 1133 Connecticut Avenue, N.W., Suite 750 Washington, D.C. 20036
Frontier Corporation	Michael J. Shortley III Frontier Corporation 180 S. Clinton Avenue Rochester, NY 14646
International Telecard Association	Glenn B. Manishin Michael D. Specht Blumenfeld & Cohen Technology Law Group 1615 M Street, N.W., Suite 700 Washington, D.C. 20036
IXC Communication Services, Inc.	Gary L. Mann IXC Long Distance, Inc. 1122 Capital of Texas Highway South Austin, TX 78746
LCI International Telecom Corporation	Brad E. Mutschelknaus Steven A. Augustino Kelley Drye & Warren LLP 1200 19 <sup>th</sup> Street, N.W., Suite 500 Washington, D.C. 20036

---

MCI Telecommunications Corporation	<p>Mary J. Sisak  Mary L. Brown  George S. Ford  MCI Telecommunications  1801 Pennsylvania Avenue, N.W.  Washington, DC 20006</p>
State of New York Department of Public Service	<p>Lawrence G. Malone  New York State Dept. of Public Service  Three Empire State Plaza  Albany, NY 12223-1350</p>
Paging Network, Inc.	<p>Judith St. Ledger-Roty  Wendy I. Kirchick  Kelley Drye &amp; Warren LLP  1200 19<sup>th</sup> Street, N.W., Suite 500  Washington, D.C. 20036</p>
Personal Communications Industry Association	<p>Robert L. Hoggarth  Personal Communications Industry Assn.  500 Montgomery Street, Suite 700  Alexandria, VA 22314</p>
Personal Communications Industry Association	<p>Scott Blake Harris  Kent D. Bressie  Harris, Wiltshire &amp; Grannis, LLP  1200 18<sup>th</sup> Street, N.W., Suite 1200  Washington, D.C. 20036</p>
PocketScience	<p>Neil M. Peretz  PocketScience Inc.  2075 de La Cruz Boulevard, Suite 200  Santa Clara, CA 95050</p>
SkyTel Communications, Inc.	<p>Thomas Gutierrez  J. Justin McClure  Lukas, Nace, Gutierrez &amp; Sachs  1111 19<sup>th</sup> Street, N.W., Suite 1200  Washington, DC 20036</p>
Sprint Corporation	<p>Leon M. Kestenbaum  Jay C. Keithley  H. Richard Juhnke  Sprint Corporation  1850 M Street, N.W., 11<sup>th</sup> Floor  Washington, D.C. 20036</p>

---

VoCall Communications Corp. and  
Galaxy Long Distance

Thomas K. Crowe  
Law Offices of Thomas K. Crowe, PC  
2300 M Street, N.W., Suite 800  
Washington, DC 20037

WorldCom, Inc.

Richard S. Whitt  
WorldCom, Inc.  
1120 Connecticut Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

WorldCom, Inc.

Douglas F. Brent  
WorldCom Inc.  
101 Bullitt Lane, Suite 101  
Louisville, KY 40222

DATED: 12-17-98